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MINUTES

September 17, 1999
Federal Building
Helena, Montana

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed. Exhibits and tapes are on file in the offices of the Legislative Services Division.

COMMITTEE MEMBERS PRESENT

Rep. William "Red" Menahan, Chairman
Sen. Tom Beck, Vice Chairman

Sen. B.F. "Chris" Christiaens
Sen. Mack Cole
Sen. Steve Doherty

Rep. Billie I. Krenzler
Rep. Mark E. Noennig

COMMITTEE MEMBERS EXCUSED

Sen. Bruce D. Crippen
Sen. Debbie Bowman Shea
Rep. Karl Ohs
Rep. Paul Sliter
Rep. Emily Swanson

STAFF PRESENT

Robert B. Person, Executive Director, LSD
Greg Petesch, Legal Director, LSD
Jo Ann Jones, Secretary

VISITORS

Visitors' list, Attachment #1.

COMMITTEE ACTION

Approved the May 17, 1999, minutes. (Christiaens)

Agreed to select a subcommittee to study HJR 18.

Agreed that the HJR 18 subcommittee accept the invitation to go to Olympia, Washington to observe TVW. (Beck)

Agreed to write an article for the Interim Newsletter and prepare a press release stating that the Legislative Council commends staff for the timely production of the Codes. (Doherty)

Agreed to make a one-time donation of five sets of Codes to Montana Legal Services. (Christiaens)

Agreed to approve the request for waiver of fees for easement in Kalispell as requested by Mr. Rooney. (Beck)

Agreed to grant Rep. Brainard's request for two subcommittees for SAIC. (Beck)

CALL TO ORDER AND ROLL CALL

Chairman Menahan called the meeting to order at 9 a.m.

Sen. Christiaens moved that the minutes of the May 17 meeting be approved. The motion passed.

SUBCOMMITTEE ISSUES

Sen. Beck reported on the Personnel Subcommittee meeting held yesterday to discuss finding a replacement for Mr. Person. Mr. Person will retire on January 2, 2001. Sen. Beck said Rep. Kenzler and he were the only ones present at the meeting.

Sen. Beck said the Council must first determine what it wants for that position. Do we want one person supervising all the legislative agencies or do we want to continue the present arrangement? The Personnel Subcommittee will meet in early October with the chairmen and vice chairmen of the other legislative committees – Finance Committee, Audit Committee, Environmental Quality Council, and the Legislative Council to determine if there is any support for changing the present structure of the legislative branch operation.

At a November meeting the Personnel Subcommittee will meet with staff from the legislative agencies to get their expectations of an executive director.

Sen. Beck said the Personnel Subcommittee would then advertise for the executive director position and select four or five persons to be interviewed by the entire Legislative Council in May or June of 2000. The new hire could then be on board in August and work with Mr. Person for a few months.

Sen. Beck said the Personnel Subcommittee asked Jim Kerins from Communication and Management Services in Helena to assist the Subcommittee in setting the criteria

for the new executive director. Mr. Kerins is on contract to the Legislative Branch and has worked on a variety of projects. (Exhibit #1)

At the October and November meetings, the Council will review and revise as necessary the duties and responsibilities of the position.

FOLLOW-UP FROM STRATEGIC PLANNING SESSION

Exhibit #2 – Strategic Issue Priorities

The Council reviewed the 11 strategic issues identified at the Yellow Bay meeting.

Mr. Person asked members to prioritize those issues because time and resources won't allow dealing with 11 major issues.

Members chose as the top three issues educating the public about the legislative process, legislative orientation, and legislator interaction with other states. Mr. Person will bring information on these issues to the next meeting.

Sen. Cole asked about the security issue. Mr. Person said improved security will take place as a result of the renovation. Security must be carefully developed to be accepted by legislators and by the public. Mr. Person suggested focusing on public safety.

Sen. Christiaens said security is a real issue and the Council should work with the Department of Administration on this issue.

Chairman Menahan asked Mr. Person to keep in contact with the Department of Administration regarding security improvements.

PARTICIPATION IN INTERSTATE ORGANIZATIONS

Sen. Crippen asked the Council to discuss appropriate responses to requests for participation in interstate organizations which leadership receives on a regular basis. Mr. Person said Montana was an active participant in interstate organizations during the 70s. The budget problems of the 80s cut back that participation. Currently the House and Senate leadership are providing limited funding support for legislators who want to attend interstate meetings.

Exhibit #3 – Information from CSG West

Pat Joyce from Council of State Governments (CSG) said CSG West has invited the Montana Legislature to host the 2001 annual meeting. Exhibit #3 contains information on what would be involved in hosting the meeting. The meeting would be an opportunity to show off Montana and would attract 450 to 750 participants.

Sen. Christiaens said this might be an opportunity to involve Travel Montana, which has the funds to assist with such a meeting. It wouldn't be a problem to find a location.

Sen. Doherty said the Council has to be careful with commitment of staff time.

Sen. Cole said it is important to get the new legislators involved with organizations like CSG West.

Sen. Beck said 2002 might be a better date for hosting the meeting in order to give Montana legislators a chance to once again become involved with CSG West.

Rep. Menahan said 2002 would give Travel Montana more time to gear up.

Ms. Joyce said CSG West will conduct a legislative college at a future date to educate new legislators. Nine of the 13 western states have term limits. She would like one or two legislators from the Council the help design the legislative college.

Sen. Beck said he would like staff involved also.

Ms. Joyce suggested the legislature pick out one or two CSG West committees that would be important to Montana and appoint people to those committees. This isn't as overwhelming as appointments to all the committees.

STUDY ON TELEVISION LEGISLATIVE DELIBERATIONS

Stephen Maly presented an outline of the study, HJR 18. (Exhibit #4) He said there is a large variety of types of coverage among states. Most states combine live and delayed coverage.

Rep. Menahan asked who is in charge of the coverage, the local television station or the legislature? Mr. Maly said there are two basic models. The legislative staff can

run the TV production. In those cases it is usually a two-part operation. The Senate runs itself and the House runs itself. The other model, which seems to make more sense, is to create a nonprofit public/private partnership outside the legislature. Governance would come from the legislature but legislators and staff are not the producers.

Mr. Maly said it would be helpful to see how one or more of these operations works. Some members of the Council could take a field trip to Olympia, Washington, to observe the production methods and process employed by Television Washington (TVW), Washington State's public affairs network. TVW seems to be the state-of-the-art in televising legislative deliberations.

Rep. Noennig asked about the negative impact of televising legislative deliberations. Mr. Maly said this concern always comes up at the outset of making the decision to televise but once the process is set in motion, that anxiety disappears. If there is gavel to gavel television, there is no advantage to grandstanding.

Mr. Maly estimated the cost of the study to be \$7,000. Sen. Christiaens asked where the money would come from.

Mr. Person said the appropriation made to Program 21, which funds interim studies, included an estimated \$25,000 per interim committee plus \$100,000 contingency.

Staff allocated \$25,000 to each of the six interim committees. The \$100,000 is available to the Legislative Council for allocation, upon application, to the interim committees and to the Legislative Council. None of the \$100,000 has been allocated.

Rep. Harper testified in support of the study and televising legislative proceedings. Montana needs a connection between its government and the people. Coverage of any kind will elevate the proceedings.

The Council agreed to set up a subcommittee to study HJR 18. Subsequent to the meeting, the Chairman appointed Sen. Shea, Sen. Cole, Rep. Noennig, and Rep. Swanson to the Public Information Subcommittee.

Sen. Beck moved that the HJR 18 subcommittee accept the invitation to go to Olympia, Washington to observe TVW. The motion passed.

Mr. Person recommended the subcommittee bring recommendations to the January meeting when a final allocation of interim budget can be made.

LIBRARY ANNUAL REPORT

Librarian Beth Furbush reviewed the annual report on library operations. (Exhibit #5)
Ms. Furbush said the Internet and other electronic information resources provide a wide variety of ways to get information. Library needs are expanding to cover

traditional library materials, internal office materials, and a broad universe of information.

Ms. Furbush said improved access to internal and external electronic information resources is a prime goal for this interim. The staff will also work to improve storage of and access to the Branch's work products. Library staff will continue to be heavily involved in records management work including designing a checking system to ensure that standard procedures are followed.

Sen. Christiaens asked if the budget was adequate. Ms. Furbush said, at this point, the Legislative Services Library is okay with its budget.

Mr. Person said when the legislature considers funding for the State Library, it should remember that the Legislative Services Library combines its resources with the State Library to serve the legislature.

PUBLICATIONS UPDATE

Mr. Hayes said Legislative Services puts out Montana Code Annotated (MCA), Session Laws, and History and Final Status following each session. West Group in St. Paul printed the MCA. Full sets of the MCA were delivered to customers beginning August 31, 10 days ahead of 1997 delivery. We received the extra volumes of frequently ordered titles last Friday, three or four weeks earlier than in the past.

Session Laws were printed by Rose Printing in Florida and arrived August 31st. They are being sent out right now.

The History and Final Status was a problem because the second and third reading votes had to be pulled from the journals and the new LAWS system made that difficult. The information for the Status just went to the printer.

Chairman Menahan asked if there a way to make it easier to get second and third reading votes. Lee Heiman said the system has been rewritten so that after next session, the Status will be out quicker.

Mr. Hayes said camera-ready copy for the MCA index should be sent to the printer next week. The printer has 25 days from receipt of camera-ready to print and ship the index.

Lee Heiman said the CD-ROM should be out by October 1.

Mr. Heiman said in the past, camera-ready was created by physically printing pages and mailing them to the printers. In the future, camera-ready will be made electronically and sent directly to the printers. This will be faster and cheaper and the quality will be better.

Chairman Menahan commended staff for the good work.

Greg Petesch said staff deserves a tremendous amount of credit for the timely publication of the Codes. In addition to the increased number of bills, the staff moved to the federal building in the middle of the process.

Mr. Person said Mr. Petesch deserves credit because his staff worked very hard.

Sen. Doherty moved that the Council write an article for Interim Newsletter about the timely production of the Codes and also prepare a press release stating that the Legislative Council commends staff for this accomplishment. The motion passed unanimously.

Chairman Menahan suggested also showing appreciation by having a dinner for staff.

Mr. Petesch said he received a letter from Angela Russell asking for a set of Codes at the same price legislators pay (\$10). Ms. Russell is an agency legal services attorney for Montana Legal Services and practices in Crow Agency. The office Ms. Russell works for is in Billings and that is where the Codes are located.

Mr. Petesch told Ms. Russell this was not possible. In the meantime, the publishers made an error and sent 25 extra sets of Codes, which Legislative Services were not

charged for. Mr. Petesch talked to Neil Haight, director of Montana Legal Services and asked if there are other remote Legal Services offices that would benefit from reduced price Codes. Mr. Haight said there are about five satellite offices.

Sen. Christiaens moved that Legislative Services make a one-time donation of five sets of Codes to Montana Legal Services. The motion passed unanimously.

KALISPELL EASEMENT CONSULTATION

Exhibit #6 – City of Kalispell, Lawrence Street Bridge, Easement Fee Waiver

Clive Rooney, Department of Natural Resources, asked for an easement for a walking bridge across the Stillwater River at Lawrence Park in Kalispell. The primary purpose of the bridge is to provide a safer path for school children. The bridge would be a pedestrian/bike path in conjunction with Flathead County and School District #5. Mr. Rooney asked that the easement fees for the use of state land (the Stillwater River bed) be waived.

Sen. Christiaens asked how this might pertain to the 10th Street Bridge project in Great Falls. Mr. Rooney said it directly pertains to the Great Falls project and the same process is available for the City of Great Falls to waive the easement fees for the 10th Street Bridge. One of the criteria is the survey requirement for receiving a state easement. Great Falls has not yet produced that survey.

Mr. Petesch said the land in question is not state land that can be rented or leased, it is the bed of a river. It is more cost effective for the public to have the Land Board waive the fee. All the state is doing is giving Kalispell the right to put pilings in the state's riverbed.

Sen. Beck moved to approve waiving the easement fee as requested by Mr. Rooney. The motion passed unanimously.

OTHER COUNCIL BUSINESS AND MEMBER ISSUES

Mr. Person distributed a letter from Rep. Brainard to the Council (Exhibit #7) requesting Council approval to establish two subcommittees of the State Administration Public Retirement Systems, and Veterans' Affairs Interim Committee (SAIC). One subcommittee would study public employee disability benefits and post retirement health care costs assigned by House Bill No. 79. The second subcommittee would monitor Department of Military Affairs programs assigned under sections 5-5-215 and 5-5-228, MCA.

Mr. Person said there is no budget request for the subcommittee beyond the \$25,000 allocated to SAIC.

Sen. Beck moved to grant Rep. Brainard's request for two subcommittees for SAIC as long as they stay within the \$25,000 allocation to SAIC. The motion passed unanimously.

ADJOURN AND CAPITOL RENOVATION UPDATES

The Council adjourned at 12:40 p.m. to tour the Capitol project with State Architect Tom O'Connell.

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